

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSURED GUARANTY MUNICIPAL CORP.,
f/k/a FINANCIAL SECURITY ASSURANCE,
INC.

Plaintiff,

vs.

FLAGSTAR BANK, FSB; FLAGSTAR
CAPITAL MARKETS CORPORATION; and
FLAGSTAR ABS, LLC

Defendants.

Case No.: 11-CIV-2375 (JSR)

**DEFENDANTS' NOTICE OF
MOTION IN LIMINE AND TO
EXCLUDE PLAINTIFF'S
EXPERTS' TESTIMONY**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Stewart D. Aaron, and the Memorandum of Law in Support of Defendants' Motion In Limine and to Exclude Plaintiff's Experts' Testimony, dated May 31, 2012, Defendants will move this Court, pursuant to Federal Rules of Evidence 702 and 401, before the Honorable Jed S. Rakoff, United States District Court Judge for the Southern District of New York, at the United States District Courthouse, 500 Pearl Street, New York, New York 10007 for an Order precluding the use of sampling as a method of proof by plaintiff Assured Guaranty Municipal Corp. and excluding the testimony and report of plaintiff's experts Nelson Lipshutz, Rebecca Walzak and Joseph Mason, and further relief as to the Court deems just and proper.

Dated: June 1, 2012
New York, New York

Respectfully submitted,
ARNOLD & PORTER LLP

By: /s/ Stewart D. Aaron
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